

COPY FROM PARENT

Attorney Docket No.: 02-104240US
Client Reference No.: 0165.005

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Single-Stranded Nucleic Acid Template-Mediated Recombination and Nucleic Acid Fragment Isolation** the specification of which is attached hereto or x was filed on September 6, 2000, as Application No. 09/656,549, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 |
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I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------------|
| 60/185,244 | February 28, 2000 |
| 60/185,815 | February 29, 2000 |
| 60/186,247 | March 1, 2000 |
| 60/186,482 | March 2, 2000 |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|--------|
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|--------------------------|--|---|---|
| Full Name of Inventor 1: | Full Name: Joseph A. Affholter | | |
| Residence & Citizenship: | City: Stateline | State/Foreign Country: Nevada | Country of Citizenship: United States |
| Post Office Address: | Post Office Address: 225 Clubhouse Circle, Lake Village, Stateline, Nevada 89449 | | |
| Full Name of Inventor 2: | Full Name: Anthony Cox | | |
| Residence & Citizenship: | City: Mountain View | State/Foreign Country: California | Country of Citizenship: United Kingdom |
| Post Office Address: | Post Office Address: 1730 Plaza Court, Mountain View, CA 94040 | | |
| Full Name of Inventor 3: | Full Name: Jon E. Ness | | |
| Residence & Citizenship: | City: Sunnyvale | State/Foreign Country: California | Country of Citizenship: the United States |
| Post Office Address: | Post Office Address: 1220 N. Fair Oaks Ave. #2115, Sunnyvale, CA 94089 | | |
| Full Name of Inventor 4: | Full Name: Brian Carr | | |
| Residence & Citizenship: | City: Fremont | State/Foreign Country: California | Country of Citizenship: the United States |
| Post Office Address: | Post Office Address: 3628 Thrush Terrace, Fremont, CA 94555 | | |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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|---|---|---|
| Signature of Inventor 1 Joseph A. Affholter | Signature of Inventor 2 Anthony Cox | Signature of Inventor 3 Jon E. Ness |
| Date | Date | Date |

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|--|
| Signature of Inventor 4 Brian Carr |
| Date |

declaration